REMARKS

Favorable consideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-54 are pending in the application, with Claims 1, 9, 12, 15, 19, 21, 25, and 28 amended by the present amendment.

In the outstanding Office Action, Claim 21 was objected; Claims 1-18, 22-27,31-34, and 46-51 were rejected under 35 U.S.C. § 102(e) as being anticipated by Hoffert et al. (U.S. Patent No. 6,374,260); Claims 19-21, 28-30, 43-45, and 52-54 were rejected under 35 U.S.C. 103(a) as being anticipated by Hoffert in view of U.S. Patent No. 5,995,707 to Lee.

Claim 1 is amended to recite that the video data is sampled "with at least one of a variable time interval parameter and a variable size parameter." Independent Claims 9, 12, 15, 19, 25, and 28 are similarly amended. Support for these amendments is found in Applicants' originally filed specification.[1] Claim 21 is amended to correct the informality noted in the Official Action. No new matter is added.

Briefly recapitulating, amended Claim 1 is directed to an image information describing method comprising sampling video information, including video frames, with a variable time interval parameter and a variable size parameter to obtain thumbnail frames. The claimed method also includes describing attribute information for specifying each of the video frames corresponding to each of the thumbnail frames as thumbnail information. The advantage of thumbnail frames is that thumbnail frames are smaller than the original video information in data size and, thus, are more easily stored and manipulated for video summarization. By suitably setting the time interval and size of a sample, the thumbnail

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[1] Specification, page 19, lines 10-17 and lines 20-24; page 23, lines 3-20.

frames can more suitably reflect the contents of *variable* speed video information (e.g., MPEG 2) than conventional scene-change based sampling.[2]

Hoffert teaches a method and apparatus for uploading, analyzing, searching, and displaying multimedia files based on the content of the multimedia files, to include creating preview filmstrips.[3] However, contrary to the statement in the Official Action,[4] Hoffert does not teach "sampling video information… with a variable time interval parameter and a variable size parameter to obtain thumbnail frames" as recited in amended Claim 1. In section 5.2.1 of Hoffert cited for a supposed teaching of sampling with a variable size parameter,[5] Hoffert teaches that the size and aspect ratio of a filmstrip preview is varied. However, this section does not teach any method of sampling, let along sampling in accordance with a variable time parameter or a variable size parameter as recited in Claim 1. Instead, it is in section 5.2.3 of Hoffert that the sampling that creates the filmstrip is taught.[6] However, here too, Hoffert fails to teach all the elements of Applicants' claimed invention. Hoffert teaches that a temporal width TW is calculated and N frames of a compressed video are decompressed at N fixed points into a media image.[7] By choosing N frames spaced TW apart, a preview of frames from various portions of the media file are developed without requiring the entire video file to be decompressed.[8] Hoffert's fixed time interval TW is not a "variable time interval parameter" as recited in Applicants' Claim 1.

As Hoffert does not disclose or suggest all the elements of independent Claim 1, Applicants submit the inventions defined by Claim 1, and all claims depending therefrom, are

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[2] Specification, page 3, line – page 4, line 1; especially see page 3, lines 15-25.
[3] Hoffert, column 10, lie 17 – column 14, line 37.
[4] Official Action, paragraph 2.
[5] Hoffert, column 11, line 61 – column 12, line 18.
[6] Hoffert, column 12, line 50 – column 13, line 29.
[7] Hoffert, column 12, line 63 – column 13, line 2.
[8] Hoffert, column 13, lines 3-12.

not anticipated or rendered obvious by the asserted prior art for at least the reasons stated above.[9] For at least these same reasons, Applicants submit that the inventions defined by independent Claims 9, 12, 15, 19, 25, and 28, and all claims depending therefrom, also patentably define over Hoffert.

Applicants have also considered the Lee reference. Lee teaches a speed change reproduction recording apparatus.[10] However, like Hoffert, Lee does not teach or suggest 'sampling... with a variable time interval parameter and a variable size parameter' as recited in Applicants independent Claims 1, 9, 12, 15, 19, 25, and 28. As none of the cited prior art, individually or in combination, disclose or suggest all the elements of independent Claims 1, 9, 12, 15, 19, 25, and 28, Applicants submit the inventions defined by Claims 1, 9, 12, 15, 19, 25, and 28, and all claims depending therefrom, are not rendered obvious by the asserted prior art for at least the reasons stated above.[11]

The present amendment is submitted in accordance with 37 C.F.R. § 1.116 which permits amendments placing the claims in better form for consideration on appeal after final rejection. Since the present amendment clarifies the claimed invention, it is respectively requested that 37 C.F.R. § 1.116 be liberally construed and the present amendment be entered.

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[9] MPEP § 2142 "...the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)."
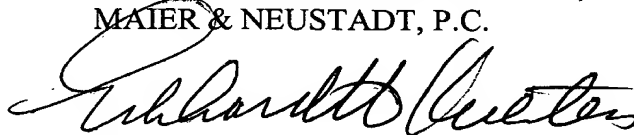
[10] Lee, column 4, lines 20-30.

[11] MPEP § 2142 "...the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)."

Accordingly, in view of the present amendment and in light of the previous

discussion, Applicants respectfully submit that the present application is in condition for

allowance and respectfully request an early and favorable action to that effect.

Respectfully submitted,

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